

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA**

MADISON McDEARIS, *et al.*,

Plaintiffs,

v.

LAST RESORT GRILL, INC., *et al.*,

Defendants.

CASE NO. 3:20-cv-93 (CDL)

ALMA KAEMPF, *et al.*,

Plaintiffs,

v.

LAST RESORT GRILL, INC., *et al.*,

Defendants.

CASE NO. 3:20-cv-139 (CDL)

ORDER

The Court previously approved the settlement of FLSA claims in Case No. 3:20-cv-93, and the Clerk entered judgment prematurely given the pendency of a motion for attorneys fees that applied to both of the above referenced cases and another pending case. Accordingly, that judgment is vacated, these cases are reopened and the following order entered at the request of the parties.

This matter is before the Court on the Stipulation of Dismissal with Prejudice filed by Plaintiffs. Upon careful review and after due consideration, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Stipulation of Dismissal with Prejudice filed by Plaintiffs is hereby approved, adopted and ratified by the Court;

2. Civil Action No. 3:21-cv-00139-CDL, captioned as *Alma Kaempf et al. v. Last Resort Grill, Inc. et al.*, is hereby **DISMISSED WITH PREJUDICE**; and

3. Consistent with *Kokkonen v. Guardian Life Insurance of America*, [511 U.S. 375](#) (1994), and *Anago Franchising, Inc. v. Shaz, LLC*, [677 F.3d 1272](#) (11th Cir. 2012), the Court retains jurisdiction solely for the purpose of enforcing the parties' settlement agreement and determining the amount of reasonable expenses, costs and attorneys' fees Defendants are awarded for having to pursue and litigate the motion to enforce settlement, which will be resolved following the parties' written submissions as set forth in the Court's March 22, 2022 Order ([Dkt. 121](#)).

SO ORDERED this 20th day of April 2022.

s/Clay D. Land

THE HONORABLE CLAY D. LAND
UNITED STATES DISTRICT JUDGE